



PTO/SB/22 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
ARC920030051US1

In re Application of Hongxia Jin

Application Number 10/723,725

Filed November 26, 2003

For "A Tamper-Resistant Trusted Java Virtual Machine ..."

Group Art Unit 2131

Examiner

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$ 110.00  
☐ Two months (37 CFR 1.17(a)(2)) \$ \_\_\_\_\_  
☐ Three months (37 CFR 1.17(a)(3)) \$ \_\_\_\_\_  
☐ Four months (37 CFR 1.17(a)(4)) \$ \_\_\_\_\_  
☐ Five months (37 CFR 1.17(a)(5)) \$ \_\_\_\_\_

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 09-0441 International Business Machines I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor

- ☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record.
- ☐ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

05/12/2004

Date

05/19/2004 NBERHE 00000121 090441 10723725  
01 FC:1251 110.00 DA

Signature

Samuel A. Kassatly

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Adjustment date: 08/03/2004 EEKUBAY1  
05/19/2004 NBERHE 00000121 090441 10723725  
01 FC:1251 110.00 CR

BEST AVAILABLE COPY

**SAMUEL A. KASSATLY**Attorney-at-Law  
Technology and Intellectual Property Matters20690 View Oaks Way  
San Jose, CA 95120  
Telephone: (408) 323-5111  
Facsimile: (408) 323-5112

orbsak@pacbell.net

2004 JUL -8 AM 8:38  
**FACSIMILE TRANSMITTAL**

DATE: July 7, 2004	FROM: Samuel A. Kassatly
TO: <b>ATTENTION: REFUND SECTION, ACCOUNTING DIVISION, OFFICE OF FINANCE</b>	TELEPHONE NO.: (408) 323-5111
U.S. Patent and Trademark Office	FACSIMILE NO.: (408) 323-5112
<b>FACSIMILE NO.: 703-308-5077 / 6778</b>	ATTY DOCKET NO.: ARC920030051US1
	SUBJECT: Request for Refund
	Deposit Account: 09-0441

Title: CA Tamper-Resistant Trusted Java Virtual Machine and Method of  
Using the SameC

Applicants: Hongxia Jin, et al.

Attorney Docket No.: ARC920030051US1

Serial No.: 10/723,725

Examiner:

Filed: November 26, 2003

Art Unit: 2131

TOTAL NUMBER OF PAGES INCLUDING THIS COVER PAGE 5

The refund is requested for the following reason:

- 1) The notice to file missing parts, dated March 12, 2004, gave applicants two months (that is until May 12, 2004) to submit the missing documents (the front page of the notice is enclosed).
- 2) The missing documents were actually mailed to the USPTO on May 12, 2004, but the Transmittal Fee that was submitted by Applicants' Attorney, copy enclosed, incorrectly included a fee for a petition for extension of time (\$110), even though no such fee was required.

Respectfully submitted,

Samuel A. Kassatly  
Reg. No. 32,247

BEST AVAILABLE COPY

CERTIFICATE OF FAXINGI hereby certify that this correspondence is being faxed to the U.S. Patent and Trademark Office, to fax No. 703-308-5077/6778, on July 7, 2004.

Samuel A. Kassatly

Sir:

**REQUEST FOR REFUND**  
(Improper charge of Deposit Account)

**1. REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account 09-0441 shown in the statement dated May 2004 for the above-identified 2004 JUL -8 AM 8:38

☒ application ☐ patent

☐ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e)) and/or	_____
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	_____
<input checked="" type="checkbox"/> extension of term	<u>\$110</u>
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> excess dependent claims	_____
<input type="checkbox"/> excess independent claim	_____
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> other _____	_____
_____	_____
_____	_____
<b><u>TOTAL REFUND REQUESTED</u></b>	<b><u>\$110</u></b>

**II. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

Enclosed please find a copy of the fee transmittal form in the subject patent application clearly indicating that the fee is to be charged to the following deposit account: 09-0441.

**III. MANNER OF REFUND**

Please make refund by:

- ☒ crediting Account No. 09-0441 - International Business Machines  
☐ refunding payment

2004 JUL -8 AM 8:38

Respectfully submitted,



Samuel A. Kassatly (Reg. No. 32,247)  
July 7, 2004

Samuel A. Kassatly Law Office  
20690 View Oaks Way  
San Jose, CA 95120  
Telephone no. (408) 323-5111  
Facsimile no. (408) 323-5112  
Attorney Docket No. IBM-187.ARC

BEST AVAILABLE COPY



# PATENT MAINTENANCE DIVISION UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
AUXILIARY COMMISSIONER FOR PATENTS  
P.O. Box 1479  
Alexandria, Virginia 22304-1479  
www.uspto.gov

APPLICATION NUMBER	FILING OR FEE DATE	INVENTOR/APPlicant	ATTORNEY/AGENT NUMBER
10/723,725	11/26/2003	Honzia Jin	ARC920030051US1

Samuel A. Kassatly  
6819 Trinidad Drive  
San Jose, CA 95120

CONFIRMATION NO. 9783

## FORMALITIES LETTER



\*0000000012087405\*

Date Mailed: 03/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

#### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 2, 3, 4B.

#### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

2004 JUL -8 AM 8:38

PATENT MAINTENANCE  
DIVISION

REST AVAILABLE COPY

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 110**Complete if Known**

Application Number: 10/723,725  
 Filing Date: November 26, 2003  
 First Named Inventor: Hongxia Jin  
 Examiner Name:  
 Art Unit: 2131  
 Attorney/Agent No.: ARC920030051US1

2004 JUL -8 AM 8:38

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

09-0441

International Business Machines

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$) Fee Code (\$)

1001 770 2001 385

1002 340 2002 170

1003 530 2003 265

1004 770 2004 385

1005 100 2005 50

Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

Provisional filing fee

Fee Paid

**SUBTOTAL (1) (\$)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims Independent Claims Multiple Dependent

30\*\* = 0 x \$18 = 0

3\*\* = 0 x \$58 = 0

Multiple Dependent \$280 = 0

Large Entity Small Entity

Fee Code (\$) Fee Code (\$)

1202 18 2202 9

1201 85 2201 43

1203 280 2203 143

1204 85 2204 43

1205 18 2205 9

Fee Description

Claims in excess of 20

Independent claims in excess of 3

Multiple dependent claim, if not paid

\*\* Reissue independent claims over original patent

\*\* Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)** 0

\*\* or number previously paid, if greater. For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$) Fee Code (\$)

1051 130 2051 65

1052 80 2052 40

1053 130 2053 65

1812 2,520 2812 1,260

1804 920 2804 460

1805 1,840 2805 920

1251 110 2251 55

1252 420 2252 210

1253 950 2253 475

1254 1,480 2254 740

1255 2,010 2255 1,005

1401 330 2401 165

1402 330 2402 165

1403 280 2403 140

1451 1,510 2451 755

1452 110 2452 55

1453 1,330 2453 665

1501 1,330 2501 665

1502 480 2502 240

1503 640 2503 320

1450 130 2450 65

1807 50 2807 25

1808 180 2808 90

8021 40 8021 40

1809 770 2809 385

1810 770 2810 385

1801 770 2801 385

1802 900 2802 450

Fee Description

Surcharge - late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Non-English specification

For filing a request for ex parte reexamination

Requesting publication of BIR prior to Examiner action

Requesting publication of BIR after Examiner action

Extension for reply within first month

Extension for reply within second month

Extension for reply within third month

Extension for reply within fourth month

Extension for reply within fifth month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to institute a public use proceeding

Petition to revive - unavoidable

Petition to revive - unintentional

Utility issue fee (or release)

Design issue fee

Plant issue fee

Petitions to the Commissioner

Processing fee under 37 CFR 1.17(g)

Submission of Information Disclosure Sheet

Recording each patent assignment per property (times number of properties)

Filing a submission after final rejection (37 CFR 1.129(a))

For each additional invention to be examined (37 CFR 1.129(b))

Request for Continued Examination (RCE)

Request for expedited examination of a design application

Fee Paid

110

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 110**SUBMITTED BY**

Name (Print/Type)

Samuel A. Kassatly

Registration No.

32,847

Telephone 408-323-5111

Signature

[Signature]

Date 05/12/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2028.

This collection of information is required by 37 CFR 1.17 and 1.37. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY